

**GOVERNMENT**



**GAZETTE**

**EXTRAORDINARY  
PUBLISHED BY AUTHORITY**

**Gangtok**

**Wednesday 14<sup>th</sup> October, 2020**

**No. 251**

**LAW DEPARTMENT  
GOVERNMENT OF SIKKIM  
TASHILING SECRETRAIT  
BLOCK B, GANGTOK**

**No. 03/LD/20**

**Date: 14.10.2020**

**NOTIFICATION**

The following Ordinance promulgated by the Governor on 13th day of October, 2020 is hereby published for general information:

**THE SIKKIM PANCHAYAT (AMENDMENT) ORDINANCE, 2020  
(ORDINANCE No. 03 OF 2020)**

Promulgated by the Governor in the Seventy-first Year of the Republic of India

**AN  
ORDINANCE**

further to amend the Sikkim Panchayat Act, 1993.

WHEREAS the Legislative Assembly of Sikkim is not in session, and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor is hereby pleased to promulgate the following Ordinance, namely: -

<b><i>Short title and Commencement</i></b>	1 (1) This Ordinance may be called the Sikkim Panchayat (Amendment) Ordinance, 2020.  (2) It shall be deemed to have come into force with effect from 5 <sup>th</sup> day of June 2017.
<b><i>Amendment of Section 11</i></b>	2 (1) In the Sikkim Panchayat Act, 1993 (hereinafter referred to as the Principal Act), existing section 11 shall be renumbered as subsection (1) of that section and after sub-section (1) as so renumbered the following sub-section (2) shall be inserted, namely:-

“(2) Notwithstanding anything contained in sub-section (1) above, if-

- (a) the Gram Sabha fails to perform any of the functions stated in sub-section (1) above, within a reasonable time, or
- (b) the Gram Sabha is due to some exceptional circumstances, reasons for which are to be recorded in writing, unable to meet and perform its functions.

(i) Then the Prescribed Authority shall, in consultation with the Gram Panchayat, take a decision and carry out any such function:

Provided that the Prescribed Authority shall ensure consultation with the Gram Panchayat by constituting a Committee, where-

- (A) the members of the Gram Panchayat shall be more in number than the nominees of the State Government;
- (B) the Chairperson of the Committee shall be the senior most Government nominee;
- (C) the recommendations of the Committee shall be by majority.”

***Amendment  
of  
Section 11A***

3. In the principal Act, in section 11 A, in clause (c), before the words “to identify”, the words “to render assistance to Gram Sabha” shall be inserted.

Date: 8<sup>th</sup> October, 2020

**GANGA PRASAD  
GOVERNOR OF SIKKIM**

**Jagat B. Rai (SSJS)  
L.R-cum-Secretary  
Law Department**